

**FILED**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SEP 22 2023

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In re: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION,

No. 22-16534

D.C. No. 4:07-cv-05944-JST  
Northern District of California,  
Oakland

ORDER

INDIRECT PURCHASER PLAINTIFFS,

Plaintiff-Appellee,

v.

COOPER & KIRKHAM, P.C.,

Appellant,

v.

TOSHIBA CORPORATION; TOSHIBA AMERICA, INC.; TOSHIBA AMERICA INFORMATION SYSTEMS, INC.; TOSHIBA AMERICA CONSUMER PRODUCTS, LLC; TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.; SAMSUNG SDI CO., LTD.; SAMSUNG SDI AMERICA, INC.; SAMSUNG SDI (MALAYSIA) SDN BHD; SAMSUNG SDI MEXICO S.A. DE C.V.; SAMSUNG SDI BRASIL LTDA.; SHENZEN SAMSUNG SDI CO., LTD.; TIANJIN SAMSUNG SDI CO., LTD.; HITACHI, LTD.; HITACHI DISPLAYS, LTD., AKA Japan Display, Inc.; HITACHI AMERICA, LTD; HITACHI ASIA, LTD.; HITACHI ELECTRONIC DEVICES (USA), INC.; PANASONIC

CORPORATION, FKA Matsushita Electric Industrial Co., Ltd. ("MEI"), is a Japanese entity; PANASONIC CORPORATION OF NORTH AMERICA; MT PICTURE DISPLAY CO., LTD; PHILIPS KONINKLIJKE N.V.; PHILIPS ELECTRONICS NORTH AMERICA CORPORATION; PHILIPS TAIWAN LIMITED; PHILIPS DO BRASIL LTDA.; THOMSON CONSUMER ELECTRONICS, INC.; THOMSON SA; TECHNOLOGIES DISPLAYS AMERICAS LLC,

Defendants.

In re: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION; CATHODE  
RAY TUBE (CRT) ANTITRUST  
LITIGATION,

INDIRECT PURCHASER PLAINTIFFS,

Plaintiff-Appellant,

v.

BONSIGNORE TRIAL LAWYERS, LLC;  
GRAY ECHAVARRIA; GLORIA  
COMEAUX; COOPER & KIRKHAM, P.C.;  
LAW OFFICES OF FRANCIS O.  
SCARPULLA,

Appellees,

and

TOSHIBA CORPORATION; TOSHIBA  
AMERICA, INC.; TOSHIBA AMERICA

No. 22-16678

D.C. No. 4:07-cv-05944-JST

INFORMATION SYSTEMS, INC.;  
TOSHIBA AMERICA CONSUMER  
PRODUCTS, LLC; TOSHIBA AMERICA  
ELECTRONIC COMPONENTS, INC.;  
SAMSUNG SDI CO., LTD.; SAMSUNG  
SDI AMERICA, INC.; SAMSUNG SDI  
(MALAYSIA) SDN BHD; SAMSUNG SDI  
MEXICO S.A. DE C.V.; SAMSUNG SDI  
BRASIL LTDA.; SHENZEN SAMSUNG  
SDI CO., LTD.; TIANJIN SAMSUNG SDI  
CO., LTD.; HITACHI, LTD.; HITACHI  
DISPLAYS, LTD., AKA Japan Display,  
Inc.; HITACHI AMERICA, LTD; HITACHI  
ASIA, LTD.; HITACHI ELECTRONIC  
DEVICES (USA), INC.; PANASONIC  
CORPORATION, FKA Matsushita Electric  
Industrial Co., Ltd. ("MEI"), is a Japanese  
entity; PANASONIC CORPORATION OF  
NORTH AMERICA; MT PICTURE  
DISPLAY CO., LTD; PHILIPS  
KONINKLIJKE N.V.; PHILIPS  
ELECTRONICS NORTH AMERICA  
CORPORATION; PHILIPS TAIWAN  
LIMITED; PHILIPS DO BRASIL LTDA.;  
THOMSON CONSUMER ELECTRONICS,  
INC.; THOMSON SA; TECHNOLOGIES  
DISPLAYS AMERICAS LLC; TOSHIBA  
CORPORATION; TOSHIBA AMERICA,  
INC.; TOSHIBA AMERICA  
INFORMATION SYSTEMS, INC.;  
TOSHIBA AMERICA CONSUMER  
PRODUCTS, LLC; TOSHIBA AMERICA  
ELECTRONIC COMPONENTS, INC.;  
SAMSUNG SDI CO., LTD.; SAMSUNG  
SDI AMERICA, INC.; SAMSUNG SDI  
(MALAYSIA) SDN BHD; SAMSUNG SDI  
MEXICO S.A. DE C.V.; SAMSUNG SDI  
BRASIL LTDA.; SHENZEN SAMSUNG  
SDI CO., LTD.; TIANJIN SAMSUNG SDI  
CO., LTD.; HITACHI, LTD.; HITACHI

DISPLAYS, LTD., AKA Japan Display, Inc.; HITACHI AMERICA, LTD; HITACHI ASIA, LTD.; HITACHI ELECTRONIC DEVICES (USA), INC.; PANASONIC CORPORATION, FKA Matsushita Electric Industrial Co., Ltd. ("MEI"), is a Japanese entity; PANASONIC CORPORATION OF NORTH AMERICA; MT PICTURE DISPLAY CO., LTD; PHILIPS KONINKLIJKE N.V.; PHILIPS ELECTRONICS NORTH AMERICA CORPORATION; PHILIPS TAIWAN LIMITED; PHILIPS DO BRASIL LTDA.; THOMSON CONSUMER ELECTRONICS, INC.; THOMSON SA; TECHNOLOGIES DISPLAYS AMERICAS LLC; TOSHIBA CORPORATION; TOSHIBA AMERICA, INC.; TOSHIBA AMERICA INFORMATION SYSTEMS, INC.; TOSHIBA AMERICA CONSUMER PRODUCTS, LLC; TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.; SAMSUNG SDI CO., LTD.; SAMSUNG SDI AMERICA, INC.; SAMSUNG SDI (MALAYSIA) SDN BHD; SAMSUNG SDI MEXICO S.A. DE C.V.; SAMSUNG SDI BRASIL LTDA.; SHENZEN SAMSUNG SDI CO., LTD.; TIANJIN SAMSUNG SDI CO., LTD.; HITACHI, LTD.; HITACHI DISPLAYS, LTD., AKA Japan Display, Inc.; HITACHI AMERICA, LTD; HITACHI ASIA, LTD.; HITACHI ELECTRONIC DEVICES (USA), INC.; PANASONIC CORPORATION, FKA Matsushita Electric Industrial Co., Ltd. ("MEI"), is a Japanese entity; PANASONIC CORPORATION OF NORTH AMERICA; MT PICTURE DISPLAY CO., LTD; PHILIPS KONINKLIJKE N.V.; PHILIPS ELECTRONICS NORTH AMERICA

CORPORATION; PHILIPS TAIWAN  
LIMITED; PHILIPS DO BRASIL LTDA.;  
THOMSON CONSUMER ELECTRONICS,  
INC.; THOMSON SA; TECHNOLOGIES  
DISPLAYS AMERICAS LLC,

Defendants.

In re: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION,

No. 22-16537

D.C. No. 4:07-cv-05944-JST

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INDIRECT PURCHASER PLAINTIFFS,

Plaintiff-Appellee,

v.

LAW OFFICES OF FRANCIS O.  
SCARPULLA,

Appellant,

v.

TOSHIBA CORPORATION; TOSHIBA  
AMERICA, INC.; TOSHIBA AMERICA  
INFORMATION SYSTEMS, INC.;  
TOSHIBA AMERICA CONSUMER  
PRODUCTS, LLC; TOSHIBA AMERICA  
ELECTRONIC COMPONENTS, INC.;  
SAMSUNG SDI CO., LTD.; SAMSUNG  
SDI AMERICA, INC.; SAMSUNG SDI  
(MALAYSIA) SDN BHD; SAMSUNG SDI  
MEXICO S.A. DE C.V.; SAMSUNG SDI  
BRASIL LTDA.; SHENZEN SAMSUNG  
SDI CO., LTD.; TIANJIN SAMSUNG SDI

CO., LTD.; HITACHI, LTD.; HITACHI DISPLAYS, LTD., AKA Japan Display, Inc.; HITACHI AMERICA, LTD; HITACHI ASIA, LTD.; HITACHI ELECTRONIC DEVICES (USA), INC.; PANASONIC CORPORATION, FKA Matsushita Electric Industrial Co., Ltd. ("MEI"), is a Japanese entity; PANASONIC CORPORATION OF NORTH AMERICA; MT PICTURE DISPLAY CO., LTD; PHILIPS KONINKLIJKE N.V.; PHILIPS ELECTRONICS NORTH AMERICA CORPORATION; PHILIPS TAIWAN LIMITED; PHILIPS DO BRASIL LTDA.; THOMSON CONSUMER ELECTRONICS, INC.; THOMSON SA; TECHNOLOGIES DISPLAYS AMERICAS LLC,

Defendants.

Before: W. FLETCHER and CLIFTON, Circuit Judges, and KATZMANN,\* Judge.

Appellee Indirect Purchaser Plaintiffs' motion to dismiss the appeal of the Law Offices of Francis O. Scarpulla (Docket No. 24) is construed as a motion for summary affirmance and is GRANTED. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) ("Where the outcome of a case is beyond dispute, a motion for summary disposition is of obvious benefit to all concerned.").

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\* The Honorable Gary S. Katzmann, Judge for the United States Court of International Trade, sitting by designation.